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Filing Date	January 18, 2000
First Named Inventor	Alon Nachom
Art Unit	3621
Examiner Name	Pierre E. Elisca
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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Signature	Thomas Coester
Date	April 29, 2005

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Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT	($)

Complete if Known	
Application Number	09/487,354
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First Named Inventor	Alon Nachom
Examiner Name	Pierre E. Elisca
Art Unit	3621
Attorney Docket No.	6507P001

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☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

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1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

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SUBMITTED BY Complete (if applicable)

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Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Our Ref.: 006507.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Alon Nachom	Examiner: Pierre E. Elisca
Serial No.: 09/487,354	Art Group: 3621
Filed: January 18, 2000	
For: **COMMUNICATION ENHANCEMENT MEANS**	

SUPPLEMENTAL APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.193(b)(2)(ii), Applicant hereby requests reinstatement of this appeal following reopening of prosecution by the Examiner. In support of this request to reinstate, Applicant submits, in triplicate, the following Supplemental Appeal Brief for consideration by the Board of Patent Appeals and Interferences ("Board"). Please charge any additional amount due or credit any overpayment to the Deposit Account 02-2666.

TABLE OF CONTENTS

I. REAL PARTY IN INTEREST

The real party in interest is Alon Nachom, of Los Angeles, California.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences which will affect or be affected by the outcome of this appeal.

III. STATUS OF THE CLAIMS

Claims 21-50 are pending and rejected in this application. Claims 1-20 have been canceled and form no part of this appeal. Claims 21-50 are appealed herein.

IV. STATUS OF THE AMENDMENTS

No amendment has been filed subsequent to the rejection.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The pending claims relate to requesting, obtaining, and displaying information to allow orders for goods and/or services to be placed via the Internet. (Applicant's Abstract)

For example, after a user purchases goods or services identified by a first set of information from a first source (e.g., Site A, such as a web site), a second offer for goods or services may be presented to the user as though originating from the first source (e.g., such as by being presented as if originating from the same web site), although the second offer actually originates from a second different source (e.g., Site B, such as a second different web site). (Applicant's specification, pages 13-15; and Figures 3-6) Specifically, Site B may provide information to the user of Site A in the form of a separate window or embedded into that text and graphics of Site A itself (e.g., in the Site A website or webpage itself), to purchase products and/or services from Site B. (Applicant's specification, page 8, lines 4-8; page 9, lines 17-18; page 12, lines 13-16; and Figures 1-2 (e.g., information 26 of Figure 2)

Thus, there may be at least two information sources (e.g., such as a first and second server), with information from the first source presented as from the first source (e.g., such as a web page 20 provided by first server 16), and information from the second source (e.g., such as information 26 provided by second server 24) presented as though that information also originated from the first source (e.g., such as presented in the form of a separate window or an embedded hyperlink URL in web page 20 that provides for the sale of a product and/or service from site B). (Applicant's specification, page 11, line 22 through page 12, line 16; and Figures 1-2)

The first set of information may be related to a purchase transaction and the second offer may be related to the sale of products and/or services that may be related to the subject matter of the first set of information. (Applicant's specification, page 11, line 17 through page 12, line 11; and Figures 1-2) For example, when a specific URL is requested by a user, a first server (e.g., such as Site A) may display a web page and send a request to a second server (e.g., such as an autonomously sent request to Site B without the user's knowledge so that the information 26 of Figure 2 can be displayed to the user as if from webpage 20 of the first server) to provide information that may be related to the subject matter on the web page, as if that information were from the first server. (Applicant's specification, page 11, line 22 through page 12, line 12; and Figures 1-2) The second server may then search a stored database to provide an offer that may be related to the subject matter of Site A and in the general interest of the client user. (Applicant's specification, page 12, line 13-15; and Figure 2) Information may be presented in the form of separate window or an embedded hyperlink URL in the web page that provides for the sale of a produce and/or service from Site B. (Applicant's specification, page 12, line 15-16; and Figure 2)

After confirming a transaction displayed from the first source (e.g., such as confirming a sale made at a first web site), Site B may determine which product and/or service to present to the user and provide the user with the product in the form of a second set of information. (Applicant's specification, page 13, lines 6-7; and Figures 3-4) If an offer for the product is accepted, Site B issues a request to Site A for

billing information. (Applicant's specification, page 13, lines 9-13; and Figures 3-4) If Site A does not have complete billing and user information, Site B provides an information request form directly to the user (e.g., presented as though that information also originated from the first source). (Applicant's specification, page 13, lines 15-17; and Figures 3-4) If the user provides the information, the transaction is recorded. (Applicant's specification, page 13, lines 18-20; and Figures 3-4)

Alternatively, if the user requests further information regarding the product and/or services of Site B, then the user may either be transferred to the Site B home page or information may be transferred to the separate window. (Applicant's specification, page 8, lines 14-17)

Moreover, after confirming a transaction displayed from the first source (e.g., such as confirming a sale made at a first web site), the first source may search and locate in its database and present a second set of information previously obtained from a second source as though originating from the first source so that the data may be displayed to the user without the user's knowledge of an origin of the second set of information (e.g., such as by the web site searching and locating in its database products and/or services that were previously provided by another web site, and then presenting the product and/or services to the user). (Applicant's specification, page 14, line 18 through line 22; and Figure 6)

Then, the transaction data may be forwarded to the second source (e.g., such as forwarding billing and user information that affected the purchase from the first web site to the second web site). (Applicant's specification, page 14, line 7 through line 16; and Figure 5)

VI. GROUNDS OF REJECTION

The grounds of rejection involved in this appeal are as follows:

Claims 21-50 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,572,643 issued to Judson et al. (Judson), in view of U.S. Patent No. 6,141,653 issued to Conklin et al. (Conklin).

VII. ARGUMENT

The Patent Office has rejected claims 21-50 under 35 U.S.C. 103(a) as being obvious over Judson in view of Conklin.

A. Initial Matter

Applicant has found it remarkably difficult to discern what exactly the Examiner is attempting to argue in numerous sections of the current Office Action. This is due in part to the fact that there are numerous typographical errors, references to the previously cited art (e.g., references to "Ronen" and in some cases "Rosen"), and apparent rejection of claim 9 which has been canceled. Most notably, it is unclear exactly which feature(s) of Judson the Examiner is citing as a "first source", "first transaction", "second source", etc... of Applicant's claims.

Nevertheless, to the best of its ability, Applicant has attempted to address the Examiner's intent and respond herein.

B. Overview of the Cited References

Judson

Judson teaches a web page being displayed on a graphical user interface, the web page having at least one link to a hypertext document preferably located at a remote server. (See Judson Abstract) In response to the user clicking on the link, the link is activated by the browser to thereby request downloading of the hypertext document from the remote server to the graphical user interface of the client. (See Judson Abstract and **Figure 3**, blocks 74, 76, 78, and 84). For instance, a Hypertext Markup Language (HTML)-compliant client browser involves specification of a link via a Uniform Resource Locator or "URL", by a client making a Terminal Control Protocol-Internet Protocol (TCP-IP) request to the server identified in the link and receiving a "web page" (namely, a document formatted according to HTML) in return. (See Judson column 1, lines 26-34) While the web page is downloading, the user typically "sees" an essentially unrecognizable "image" on the display screen which only gradually comes into focus; and only after the entire image is

downloaded from the server and then processed by the browser that the user can fully access the web page itself. (see Judson column 1, lines 42-47)

While the client waits for a reply and/or as the hypertext document is being downloaded, the browser displays one or more different types of informational messages, such as advertisements, notices, messages, copyright information and the like to the user. (See Judson Abstract and **Figure 3**, blocks 80 and 82) The informational message may be an informational object, masked by an Hypertext Markup Language comment (e.g., via an HTML comment tag) in a web page to store an information object related to a link and then formatting and displaying such information when the link is activated. (See Judson, col. 2, lines 1-5) An information "object" placed within a comment tag of a web page is "ignored" by the browser in the formatting of the document then being displayed. (See Judson, col. 5, lines 16-19) This information object, however, is also saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21)

Conklin

Conklin teaches multi-variate negotiations over a network to a secure system to create and administer a community between participants, such as buyers and sellers, that allows a participant to search and evaluate seller information, propose and negotiate orders and counter offers. (See Conklin Abstract) Moreover, Conklin teaches secure databases, search engines, and other tools for use by the sponsor, which enable the sponsor to define the terms of community participation, establish standards, help promote the visibility of participating companies, monitor activity, collect fees, and promote successes. (see Conklin Abstract) For example, Conklin discloses video conferencing and other multi-media techniques added to the multi-variate negotiations to increase visibility of participants. (See Conklin, paragraph 18, lines 18-37) Specifically, the buyer can link to the sites of the sellers listed in a display, and either send email inquiries to them, or directly order sample quantities from them or evaluate them (e.g., such as to negotiate terms for placing an order in volume) (See Conklin, paragraph 32, lines 8-16, and **Figure 29**) Thus, although Conklin teaches negotiations hosted by a secure server over a network and

promoting the visibility of participating companies and participants, Conklin does not teach or suggest that information identifying a transaction obtained from one source is displayed as if originating from another source. (See Conklin Abstract; and Figure 1h)

C. Errors of Law and Fact

1) Claims Rejected Under 35 U.S.C. §103(a)

Claims 21-50 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,572,643 issued to Judson et al. (Judson), in view of U.S. Patent No. 6,141,653 issued to Conklin et al. (Conklin).

Claims 21-29

Claims 21-29 (as claims 22 through 29 depend from claim 21) are not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest:

1. routing transaction data to effect a first transaction to a second source, and requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made;

2. providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; or

3. accepting a transaction authorization directed to the first source for the second transaction,

as required by independent claim 21. To render a claim obvious, all elements of that claim must be taught or suggested by at least one properly combined reference.

Although Applicant has found it remarkably difficult to discern what exactly the Examiner is attempting to argue, in the Patent Office's rejection of claim 21, it appears that the Patent Office identifies a hypertext document being downloaded in

response to activation of a link (Abstract and **Figure 3**, blocks 74, 76, 78, and 84) of Judson as a first source of a first set of electronic information to be displayed to a user. Similarly, it appears that the Patent Office is citing useful information, such as advertisements, notices, messages, copyright information and the like to the user (Abstract and **Figure 3**, blocks 80 and 82) as a second source of electronic information to be displayed to a user as though originating from a first source. (See Office Action, page 2, final paragraph through page 3, first paragraph) Applicant will proceed according to this interpretation.

First, Judson does not teach or suggest routing transaction data to effect a first transaction to a second source, and requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made, as required by claim 21.

As noted by the Patent Office in the current rejection (see Office Action, page 3, second paragraph) Judson does not teach or suggest routing transaction data to effect a first transaction to a second source.

Moreover, Judson does not teach or suggest requesting a second set of electronic information to be displayed to the user from the second source on the network (e.g., the source to which the transaction data to effect a first transaction is routed), wherein the second set of electronic information comprises information identifying a second transaction to be made. Instead, Judson discloses that while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client, the browser displays one or more different types of informational messages saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21). However, Judson does not teach or suggest requesting the informational message from a network source to which the transaction data to effect the first transaction is routed (e.g., the remote server). Consequently, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Judson of requesting a second set of electronic

information to be displayed to the user from a source on the network to which the transaction data to effect a first transaction is routed, as required by independent claim 21.

Similarly, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Conklin that accounts for routing transaction data to effect a first transaction to a second source, and requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made, as required by claim 21. Conklin teaches negotiations hosted by a secure server over a network and promoting the visibility of participating companies and participants. (See Conklin Abstract; and Figure 1h) Specifically, the buyer can link to the sites of the sellers listed in a display, and either send email inquiries to them, or directly order sample quantities from them (e.g., transacting directly with the seller) or evaluate them (e.g., such as to negotiate terms for placing an order in volume). (See Conklin, paragraph 32, lines 8-16, and **Figure 29**) However, Conklin does not teach or suggest routing transaction data to effect a first transaction to a second source (e.g., a source other than seller), or requesting a second set of electronic information to be displayed to the user from the second source on the network (e.g., a source other than seller), wherein the second set of electronic information comprises information identifying a second transaction to be made.

Hence, Applicant requests that the Board overturn the rejection of claims 21-29 as being unpatentable over Judson in view of Conklin for at least the first reason that neither Judson, Conklin, nor the combination teaches or suggests routing transaction data to effect a first transaction to a second source, and requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made.

Second, Judson does not teach or suggest providing data to display to the user a visual representation of the second set of electronic information from the second source on the network, as though originating from the first source, as required by independent claim 21. Judson teaches that the informational message may be an informational object masked via an HTML comment tag in a web page related to a link (e.g., and displayed when the link is activated (See Judson, col. 2, lines 1-5)), and saved to a separate file or cache within the client (See Judson, col. 5, lines 19-21). However, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Judson that the information is displayed as if it is from a source on the network other than the web page having the comment tag (e.g., as is required by claim 21). For example, the information is only displayed after the user activates (e.g., clicks on) the link on the web page having the comment tag (See Judson, col. 2, lines 1-5).

Moreover, Applicant points out that in the Office Action, the Patent Office asserts that Judson teaches "providing data to display to the user without the user's knowledge of an origin of the second set of information visual representation of the second set of electronic information as though originating from the first source." (See Office Action, page 3, first paragraph) However, this quote tends to show that the Patent Office has misinterpreted the Applicant's claims. Specifically, claim 21 requires "providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source." In the Office Action, the Patent Office replaces this limitation in its argument with "without the user's knowledge of an origin of the second set of information." Thus, although claim 21 requires that information from one source be provided as though it were from another source, the Patent Office argues that the references teach that the user does not know the origin of the second set of information. The Board should appreciate that if the second set of information is provided as though originating from the first source (e.g., as required by claim 21), then the user will believe that they know of a source of the second set of information, regardless of whether or not that source is the actual source or another source. Specifically,

transferring information to a user from an autonomous source does not teach or suggest providing data to display to a user a second set of electronic information from a second source, as though that information were originating from a first source. Therefore, teaching that information is displayed without the user's knowledge of an origin of the second set of information, does not teach or suggest the above noted limitation of claim 21.

Consequently, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Judson of requesting a second set of electronic information, where a visual representation of the second set of electronic information is to be displayed as though originating from the first source, as required by independent claim 21.

Likewise, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Conklin that accounts for the limitations of independent claim 21 identified above. Specifically, in the Office Action, while addressing claim 21 with Conklin, the Patent Office asserts that "it is obvious to realize that transferring information to a user from autonomous source is well-known in order to keep sells autonomous."[sic] (See Office Action, page 3, third paragraph) Again, this assertion is based on the Patent Office's misinterpretation that "providing data to display to the user without the user's knowledge of an origin of the second set of information visual representation of the second set of electronic information as though originating from the first source," reads on claim 21's "providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source." Hence, for the same reason described above for Judson, an autonomous source does not teach claim 21.

Moreover, Conklin teaches secure databases, search engines, and other tools for use by the sponsor (e.g., such as provided by a secure Internet-based sales system), which enable the sponsor to define the terms of community participation, establish standards, help promote the visibility of participating companies, monitor activity,

collect fees, and promote successes. (see Conklin Abstract) For example, Conklin discloses video conferencing and other multi-media techniques added to the multi-variate negotiations to increase visibility of participants. (See Conklin, paragraph 18, lines 18-37) Thus, although Conklin teaches negotiations hosted by a secure server over a network and promoting the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold), Conklin does not describe or suggest sales from an "autonomous source" of information. (See Conklin Abstract) For example, negotiating, and promoting visibility of companies and participants teach that a user is viewing information from a known source. Consequently, neither Judson nor Conklin teaches or suggests that information identifying a transaction obtained from one source is displayed as if originating from another source.

In addition, Applicant traverses the Patent Office's assertion "it is obvious to realize that transferring information to a user from autonomous source is well-known in order to keep sells autonomous,"[sic] under MPEP § 2144.03, no reference is cited and official notice in a case such as this is contrary to the law.

Hence, Applicant requests that the Board overturn the rejection of claims 21-29 as being unpatentable over Judson in view of Conklin for at least the additional reasons that: (1) Judson fails to teach or suggest providing data to display to a user a representation of a set of information from a second source as though originating from a first source; (2) Conklin fails to teach or suggest that same limitation; (3) Applicant traverses the Patent Office's assertion that Conklin teaches that "transferring information to a user from an autonomous source is well-known"; and (4) if Conklin or Judson did teach that the user did not know the origin of the data or that the data was from an autonomous source, such a limitation would not teach or suggest the above-cited limitation of independent claim 21.

Third, claim 21 is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "accepting a transaction

authorization directed to the first source for the second transaction," as required by independent claim 21. As noted above, Judson discloses that while the user is waiting for downloading of a hypertext document from a remote server, the browser displays one or more different types of informational messages saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21). However, Judson does not teach or suggest accepting a transaction authorization directed to the first source (e.g., the remote server) for the second transaction (e.g., the informational message), where the second transaction is to be displayed to the user from the second source as though originating from the first source. For instance, there is no indication or suggestion in Judson of a transaction authorization for an informational message directed to the remote server, or an acceptance thereof.

Similarly, as described above, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach accepting a transaction authorization directed to the first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Hence, for at least the additional reason, the neither Judson, Conklin, nor the combination teach or suggest the above limitation of independent claim 21, Applicant requests that the Board overturn the rejection of independent claims 21-29 as being obvious over Judson in view of Conklin.

Claim 23

In addition, claim 23 (as claim 23 depends from claim 21) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not

teach or suggest "autonomously communicating with the second source without the user's knowledge," as required by dependent claim 23. As noted above with respect to claim 21, Judson teaches that while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client, the browser displays one or more different types of informational messages saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21). However, Judson does not teach or suggest autonomously communicating with a second source on a network (e.g., a source other than the web page having the comment tag) without a user's knowledge. Instead, Judson teaches that the user typically "sees" an essentially unrecognizable "image" on the display screen which only gradually comes into focus; and only after the entire image is downloaded from the server and then processed by the browser that the user can fully access the web page itself. (see Judson column 1, lines 42-47) Thus, the user is well aware of the communication with the remote server due to the unrecognizable image and waiting for the entire image to download, and there is no teaching in Judson of the informational message being from the remote server as pointed out above for claim 21.

Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) However, Conklin does not teach or suggest autonomously communicating without a user's knowledge, as described above with respect to claim 21 (e.g., see the argument regarding the as though originating from the first source limitation of claim 21) For example, it would be necessary for the user to know of such communication with a source to negotiate, and promote visibility of companies and participants. (See Conklin Abstract)

Hence, for at least the additional reason, the neither Judson, Conklin, nor the combination teach or suggest the above limitation of independent claim 23,

Applicant requests that the Board overturn the rejection of claim 23 as being obvious over Judson in view of Conklin.

Claim 24

In addition, claim 24 (as claim 24 depends from claim 21) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "a request to the user for additional transaction data to effect a sale of a second product or service," as required by dependent claim 24. As described above to address independent claim 21, Judson teaches that the browser displays one or more different types of informational messages, while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client. (See Judson, col. 5, lines 19-21).

However, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Judson of a request to the user for additional transaction data to effect a sale of a second product or service, as required by dependent claim 24.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach that a second set of electronic information to be displayed to the user from the second source as though originating from the first source comprises a request to the user for additional transaction data to effect a sale of a second product or service.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 24 as being obvious over Judson in view of Conklin.

Claim 25

In addition, claim 25 (as claim 25 depends from claim 21) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "obtaining a third set of electronic information to be displayed to the user from the second source as though originating from the first source, wherein the third set of electronic information comprises billing and shipping information to be confirmed by the user," as required by dependent claim 25.

As described above to address independent claim 21, Judson teaches that the browser displays one or more different types of informational messages, while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client. (See Judson, col. 5, lines 19-21) However, as noted for claim 21, Judson does not suggest a second set of electronic information to be displayed to the user from the second source as though originating from the first source. An analogous discussion to that made above on this point for claim 21 applies here with to show that Judson does not teach or suggest a third set of electronic information to be displayed to the user from the second source as though originating from the first source.

Moreover, Judson does not teach that a third set of electronic information to be displayed to the user from the second source as though originating from the first source comprises billing and shipping information to be confirmed by the user.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods

and services to be sold). (See Conklin Abstract) However, Conklin does not teach or suggest a third set of electronic information to be displayed to the user from the second source as though originating from the first source. Instead, Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source.

Moreover, Conklin does not teach that a third set of electronic information to be displayed to the user from the second source as though originating from the first source comprises billing and shipping information to be confirmed by the user. Applicant traverses that Conklin teaches an autonomous source, and even if Conklin did teach such a source, as noted above Conklin teaches that communication with such a source would be with the user's knowledge of that source.

Applicant also traverses the Patent Office's assertion "it is obvious to realize that many techniques have been used to encrypt file i.e. for transferring billing information from one source to another and shipping information,"[sic] under MPEP § 2144.03. Again, this unsupported assertion is contrary to law.

Hence, for at least the additional reason, the neither Judson, Conklin, nor the combination teach or suggest the above limitation of independent claim 25, Applicant requests that the Board overturn the rejection of claim 25 as being obvious over Judson in view of Conklin.

Claim 29

In addition, claim 29 (as claim 29 depends from claim 21) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest accepting a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises "an explicit authorization to order a second product or service," as required by dependent claim 29. As described above to address independent claim 21, Judson teaches that the browser displays one or more different types of informational messages, while the

user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client. (See Judson, col. 5, lines 19-21) However, Judson does not teach a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises an explicit authorization to order a second product or service to be displayed to the user from the second source as though originating from the first source.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises an explicit authorization to order a second product or service to be displayed to the user from the second source as though originating from the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 29 as being obvious over Judson in view of Conklin.

Claims 30-36

Claims 30-36 (as claims 31-36 depend from claim 30) are not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "code which when executed; ... accepts transaction data from the user to effect the first transaction; notifies a second source of the first transaction; obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source; . . . wherein notifying a second source and

obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge", as required by independent claim 30. To render a claim obvious, all elements of that claim must be taught or suggested by at least one properly combined reference.

The Patent Office relies upon the same sections of the cited references to address independent claim 30, as described above to address independent claim 21. Thus, an analogous discussion to that made above with respect to: a) obtaining from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction, and b) a visual representation of a second set of information identifying a transaction as though originating from the first source limitation of independent claim 21, applies here as well.

Hence, for at least these first reasons, Applicant requests that the Board overturn the rejection of claims 30-36 as being unpatentable over Judson in view of Conklin.

Second, claim 30 includes "wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge." An analogous discussion to that made above with respect to the corresponding limitation of claim 23 applies here as well. As noted above with respect to claim 23, neither Judson, Conklin, nor the combination teach or suggest autonomously communicating with a source without a user's knowledge.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claims 30-36 as being obvious over Judson in view of Conklin.

Claim 31

In addition, claim 31 (as claim 31 depends from claim 30) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not

teach or suggest code which when executed obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source, and code to accept a user transaction authorization directed to the first source for the second transaction," as required by dependent claim 31. An analogous discussion to that made above with respect to the corresponding limitation of claim 21 applies here as well. As described above to address independent claim 21, neither Judson, Conklin, nor the combination teach or suggest code to accept a user transaction authorization directed to the first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 31 as being obvious over Judson in view of Conklin.

Claims 37-41

Claims 37-41 (as claims 38-41 depend from claim 37) are not obvious over Judson in view of Conklin for at least the reasons that the cited references do not teach or suggest "a machine-readable medium having data therein which when accessed by a processor causes a computer to accept billing information from the user needed to pay for a sale of the first product or service; obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, . . . display the second set of information to a user provided from the first source", as required by independent claim 37.

The Patent Office relies upon the same sections of the cited references to address independent claim 37, as described above to address independent claim 21. Thus, an analogous discussion to that made above with respect to: a) obtaining from the second source on the network, data to display to the user a visual representation

of a second set of information identifying a transaction, and b) displaying the second set of information to a user as provided from the first source limitation of independent claim 21, applies here as well. Hence, for at least these first reasons, Applicant requests that the Board overturn the rejection of independent claim 37-41 as being unpatentable over Judson in view of Conklin.

Second, claim 37 includes data which when accessed by a processor causes a computer to "obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information." An analogous discussion to that made above with respect to independent claim 30 and "anonymously communicating with the second source without the user's knowledge," applies here as well. Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of independent claim 37-41 as being obvious over Judson in view of Conklin.

Claim 38

In addition, claim 38 (as claim 38 depends from claim 37) is not obvious in view of Conklin for at least the reason that the cited references do not teach or suggest a machine-readable medium having data therein which when accessed by a processor causes a computer to "obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, ... display the second set of information to a user provided from the first source, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source," as required by dependent claim 38. As described above to address independent claim 21, Judson teaches that while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client, the browser displays one or more different types of informational messages saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21). However, the Patent Office requires that the remote

server is the first source that the first set of electronic information is obtained from. Consequently, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion that accounts for storing a previously transmitted second set of information (e.g., the information messages) in a database at the first source (e.g., the remote server).

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the second set of information to a user provided from the first source, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 38 as being obvious over Judson in view of Conklin.

Claims 42-44

Claims 42-44 (as claims 43 and 44 depend form claim 42) are not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "code which when executed accepts transaction data from the user to affect the first transaction; notifies an associated second source of the first transaction; obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second

transaction; and forwards the transaction data to the second source", as required by independent claim 42.

The Patent Office uses the same sections of the cited references noted above with respect to independent claim 21 to address the limitations quoted above for independent claim 42. Thus, the discussion to that made above with respect to: a) obtaining from the second source, data to display to the user a visual representation of a second set of information identifying a second transaction of independent claim 21, should be considered here as well. Hence, for at least this first reason, Applicant requests that the Board overturn the rejection of independent claim 42-44 as being unpatentable over Judson in view of Conklin.

Moreover, claim 42 requires "code which when executed . . . obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and forwards the transaction data to the second source." Thus, according to claim 42, for example, the transaction data that affected the first transaction (e.g., such as billing and user information provided when purchasing a good or service from a first web site) may be forwarded to the second source (e.g., such as a second web site notified about the first purchase and providing data for a second good or service to be purchased for display to the user).

Judson discloses that while the user is waiting for downloading of a hypertext document from a remote server to the graphical user interface of the client, the browser displays one or more different types of informational messages saved to a separate file or cache within the client. (See Judson, col. 5, lines 19-21). However, the Patent Office requires that the remote server is the first source. According to this logic, the information message saved to a separate file or cache within the client is the second information and the client is the second source. Thus, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion that accounts for forwarding transaction data from a user used to affect a first transaction to a second source (e.g., the client that the user is at). Moreover, the Patent Office

has not identified and Applicant is unable to find any teaching or suggestion in Conklin that provides for the above quoted limitation of claim 42. Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of independent claim 42-44 as being obvious over Judson in view of Conklin.

Claims 45-50

Claims 45-50 (as claims 46-50 depend from claim 45) are not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction," as required by independent claim 45.

Claim 45 requires "providing data to be displayed to the user without the user's knowledge of an origin of the second set of information." As described above with respect to independent claims 21, 30 and 37, the Patent Office has not identified and Applicant is unable to find any teaching in Judson or Conklin that supports that the user does not know of the origin of a set of information displayed.

Similarly, as described above with respect to independent claims 21, 30 and 37, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Judson or Conklin that the user does not have knowledge of "an origin" of a set of information displayed. Again, Applicant traverses that Conklin teaches an autonomous source. Moreover, Applicant asserts that in Conklin even if a source existed, the user would be aware that there was "an origin" of the information, as such knowledge would be necessary for the user to negotiate and for increased visibility of companies and participants. Hence, for at least these two reasons, Applicant requests that the Board overturn the rejection of independent claim 45-50 as being obvious over Judson in view of Conklin.

Claim 47

In addition, claim 47 (as claim 47 depends from claim 45) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest "notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge," as required by dependent claim 47. An analogous discussion to that provided above for autonomous communication limitation with respect to claim 23 and for the forwards the transaction data to the second source limitation of claim 42, apply here as well.

Hence, for at least these second reasons, Applicant requests that the Board overturn the rejection of dependent claim 47 as being obvious over Judson in view of Conklin.

Claim 48

In addition, claim 48 (as claim 48 depends from claim 45) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction, wherein the second set of information comprises a previously stored second set of information in a database at the first source," as required by dependent claim 48. An analogous discussion to that provided above with respect to claim 38, applies here as well.

Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 48 as being obvious over Judson in view of Conklin.

Claim 49

In addition, claim 49 (as claim 49 depends from claim 45) is not obvious over Judson in view of Conklin for at least the reason that the cited references do not teach or suggest providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction, wherein the data to be displayed comprises data to be displayed as though the second set of information originated from the first source," as required by dependent claim 49.

An analogous discussion to that provided above with respect to claim 21, applies here as well. Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 49 as being obvious over Judson in view of Conklin.

VIII. CONCLUSION AND RELIEF

Based on the foregoing, Applicant requests that the Board overturn the Examiner's rejection of all pending claims and hold that all of the claims of the present application are allowable.

Respectfully submitted,

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Lillian E. Rodriguez 4-29-05

Lillian E. Rodriguez April 29, 2005

IX. APPENDIX A

The claims involved in this Appeal are as follows:

21. (Previously Added) A method comprising:

obtaining a first set of electronic information to be displayed to a user from a first source on a network, wherein the first set of electronic information comprises information identifying a first transaction to be made;

accepting transaction data to effect the first transaction;

routing the transaction data to a second source;

requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made;

providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; and

accepting a transaction authorization directed to the first source for the second transaction.

22. (Previously Added) The method of claim 21, wherein the transaction authorization comprises a user authorization to share the transaction data with the second source.

23. (Previously Added) The method of claim 21, wherein routing the transaction data comprises autonomously communicating with the second source without the user's knowledge.

24. (Previously Added) The method of claim 21, wherein the transaction authorization comprises a request to the user for additional transaction data to effect a sale of a second product or service.

25. (Previously Added) The method of claim 21, further comprising obtaining a third set of electronic information to be displayed to the user from the second source as though originating from the first source, wherein the third set of

electronic information comprises billing and shipping information to be confirmed by the user.

26. (Previously Added) The method of claim 21, wherein the transaction data includes information identifying at least one of a first product or service to be purchased, a method of payments, and billing information.

27. (Previously Added) The method of claim 26, wherein the billing information comprises at least one of a billing address, a user's name, an email address, a method of payment, and billing account information.

28. (Previously Added) The method of claim 26, further comprising the second source:

recording the transaction authorization;

storing the billing information;

and then processing an order to fulfill the transaction authorization for the second transaction to the user.

29. (Previously Added) The method of claim 21, wherein the transaction authorization comprises an explicit authorization to order a second product or service.

30. (Previously Added) A system comprising:

a processor;

a memory coupled to said processor and containing code which when executed;

obtains from a first source on a network a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;

accepts transaction data from the user to effect the first transaction;

notifies a second source of the first transaction;

obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source;

obtains user assent to share the transaction data with the second source;

forwards the transaction data to the second source; and

wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge.

31. (Previously Added) The system of claim 30, further comprising code to accept a user transaction authorization directed to the first source for the second transaction.

32. (Previously Added) The system of claim 30, further comprising code to accept identification of the second set of information as determined by the second source.

33. (Previously Added) The system of claim 30, wherein the second set of information comprises information related to the first set of information.

34. (Previously Added) The system of claim 30, wherein accepting transaction data to effect the first transaction comprises at least one of a sales transaction, information identifying a product or service to be purchased, and billing information.

35. (Previously Added) The system of claim 30, wherein the notifying, obtaining from the second source, and forwarding the transaction data are to occur in real time.

36. (Previously Added) The system of claim 30, wherein the user assent to share the transaction data with a second source comprises a user selection action.

37. (Previously Added) An article of manufacture comprising:

a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a first set of information from a first source on a network, wherein the first set of information comprises information identifying a first product or service to be purchased;

display the first set of information to a user as provided from a first source;

accept billing information from the user needed to pay for a sale of the first product or service;

obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, wherein the second set of information comprises information identifying a second product or service to be purchased;

display the second set of information to a user as provided from the first source;

accept a purchase authorization directed to the first source for the second product or service, wherein the purchase authorization comprises a user authorization to share the billing information with a second source; and

forward the billing information to the second source.

38. (Previously Added) The article of manufacture of claim 37, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

39. (Previously Added) The article of manufacture of claim 37, further comprising data to cause a computer to identify the second set of information based on one of a user selection action and an association with the first set of information.

40. (Previously Added) The article of manufacture of claim 37, wherein the displaying the second set of information comprises displaying the second set of information in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

41. (Previously Added) The article of manufacture of claim 37, wherein said first source is a first information window at a first system address and said second source is at a second system.

42. (Previously Added) A system comprising:

a processor;

a memory coupled to said processor and containing code which when executed obtains from an associated first source a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;

accepts transaction data from the user to effect the first transaction;

notifies an associated second source of the first transaction;

obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and forwards the transaction data to the second source.

43. (Previously Added) The system of claim 42, further comprising code to obtain user assent to share the transaction data with the second source, and wherein notifying an associated second source and obtaining from the associated second source comprise autonomously communicating with the associated second source without the user's knowledge.

44. (Previously Added) The system of claim 42, further comprising code to receive an actuation means to forward the transaction data to the associated second source in a secure fashion.

45. (Previously Presented) A method comprising:

providing a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction associated with a first source;

accepting transaction data from the user to effect the first transaction; and

providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction.

46. (Previously Added) The method of claim 45, further comprising forwarding the transaction data to the second source.

47. (Previously Added) The method of claim 45, further comprising notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge.

48. (Previously Added) The method of claim 45, wherein the second set of information comprises a previously stored second set of information in a database at the first source.

49. (Previously Presented) The method of claim 45, wherein the data to be displayed comprises data to be displayed as though the second set of information originated from the first source.

50. (Previously Added) The method of claim 45, further comprising selecting the second source from a plurality of second sources and selecting the second set of information from a plurality of second sets of information.